

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 11/1/2016	(3) CONTACT/PHONE Stephanie Fuhs, Planner/(805) 781-5721	
(4) SUBJECT Request to authorize the Use of Alternative Publication Procedures for a request by the County of San Luis Obispo to amend the County Land Use Ordinance, Title 22 of the County Code, to incorporate land use regulations for Residential Vacation Rentals in the Adelaida/Willow Creek area. District 1.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Authorize that a display advertisement of one-quarter page be published in two newspapers of general circulation in the northern (inland) area of the County, on or before November 4, 2016, indicating the general nature of the proposed amendment that will be considered on November 15, 2016, can act as the alternative publication pursuant to Government Code §25124(b)(2). 2. Authorize that a one-quarter page display advertisement be placed in two newspapers of general circulation in the north county inland area within 15 days after adoption of the proposed amendments by your Board.			
(6) FUNDING SOURCE(S) Current Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>July 12, 2016 (Authorization)</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) District 1			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Stephanie Fuhs, Planner

VIA: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: 11/1/2016

SUBJECT: Request to authorize the Use of Alternative Publication Procedures for a request by the County of San Luis Obispo to amend the County Land Use Ordinance, Title 22 of the County Code, to incorporate land use regulations for Residential Vacation Rentals in the Adelaida/Willow Creek area. District 1.

RECOMMENDATION

It is recommended that the Board:

1. Authorize that a display advertisement of one-quarter page be published in two newspapers of general circulation in the northern (inland) area of the County, on or before November 4, 2016, indicating the general nature of the proposed amendment that will be considered on November 15, 2016, can act as the alternative publication pursuant to Government Code §25124(b)(2).
2. Authorize that a one-quarter page display advertisement be placed in two newspapers of general circulation in the north county inland area within 15 days after adoption of the proposed amendments by your Board.

DISCUSSION

On November 15, 2016, your Board will hold a public hearing for the following amendment:

1. A request by the COUNTY OF SAN LUIS OBISPO to amend the County Land Use Ordinance, Title 22 of the County Code, to incorporate land use regulations for Residential Vacation Rentals in the Adelaida/Willow Creek area. The requested modifications include: 1) an amendment to add new Section 22.30.510 – Residential Vacation Rentals; 2) an amendment to Section 22.06.030 – Table 2-2 to add Residential Vacation Rentals as an allowable use in specified land use categories, and 3) an amendment to Chapter 22.80 – Definitions to add a land use definition for Residential Vacation Rentals. The requested land use regulations include but are not limited to: location requirements, prohibiting temporary events unless required permits are obtained, limiting overnight occupancy and daytime visitors, on-site parking requirements, noise limits, and neighborhood notification requirements. With the exception of the location requirement, the requested amendments would apply to existing vacation rentals. The Adelaida/Willow Creek area is defined in the draft ordinance and includes approximately 71,460 acres of agricultural and rural residential land located west of Paso Robles and north of Highway 46 in the Adelaida Sub-area of the North County planning area.

County File Number: **LRP2015-00017** APN(s): Various
Supervisory District: 1 Date Authorized: July 12, 2016
Environmental Determination: General Rule Exemption

Display Advertisements

The California Government Code, Section 25124, establishes specific publication requirements for General Plan and ordinance amendments. Your Board can order that a display advertisement be published in a newspaper of general circulation in the county prior to the public hearing and that a display ad be placed in a newspaper of general circulation following action on the amendments.

Staff Comments

The California Government Code establishes specific publication requirements for General Plan and ordinance amendments, and offers two cost-saving alternatives to publishing the complete text of an adopted ordinance after its passage (which has historically been the most commonly-used method). The alternatives include either publishing a summary of the proposed amendments; or, where the official responsible for the ordinance determines that a summary would not be effective, and with the consent of your Board, a simple display ad can be published in a local newspaper noting the hearing date, brief project description and passage of the ordinance, where it can be obtained, and how your Board voted on its adoption.

A quarter page display ad will be the best option to notice as a fair and adequate summary of the proposed amendments would be infeasible to prepare. To summarize the ordinance amendment language would leave out important context and provide an incomplete picture of the amendments. A summary may also be seen as confusing and could discourage people from reading the full text and intent of the program. A display ad is better suited to direct people exactly where to find the proposed ordinance amendments and read the language that will be heard by the Board of Supervisors.

Therefore, in accordance with Section 25124 of the California Government Code, we are requesting that your Board order that a display advertisement of a one-quarter page be published in two newspapers of general circulation in the northern areas of the County at least five days prior to the hearing date, indicating the general nature of the proposed ordinance amendments to be considered. In addition, it is requested that your Board direct that a one-quarter page display advertisement be placed in two newspapers of general circulation within 15 days after adoption of the proposed amendments.

Because publication of a display advertisement provides clear public notice and would cost substantially less than the full text of the adopted amendments, and because the diversity of topics covered in the amendments does not enable a meaningful summary, your favorable consideration on this matter is appreciated.

OTHER AGENCY INVOLVEMENT/IMPACT

The County Clerk-Recorder's office will be responsible for publishing the notice prior to the hearing and the summary ad following adoption of the ordinance.

FINANCIAL CONSIDERATIONS

The current cost of publishing two quarter page display ads in two different newspapers is approximately between \$2,200 and \$2,500. Reproducing the complete text of all of the amendments contained in these ordinance amendments would cost more than the cost of two quarter-page display ads, depending on the size of the amendment text.

One display ad is published prior to the hearing and the second display ad is published following the decision which summarizes the decision made by the Board. This display ad provides disclosure to the public that amendments were approved, where they may be obtained, and how the Board voted, but does not require that the entire amendment text be published, thereby saving the cost of publishing the amendments in their entirety.

RESULTS

Advertising of the amendments will allow public hearings to occur in conformance with the Government Code and will cost substantially less than publishing the full text of the adopted amendments. This is consistent with the County goal of promoting a prosperous and well governed community.